

From: [Lenz, Gary W \(Ward\) MVR](#)
To: [Acuff, Tonya L MVD](#); [Mcclendon, Danny D MVS](#); [Mulligan, Karen HQ](#); [Morningstar, Desiree L HQ02](#)
Cc: [Mcmullen, Keith A MVS](#); [Henke, Amy C MVS](#); [Haves, Michael D MVR](#); [Haves, Daniel J MVR](#)
Subject: RE: Call to discuss ESA issues on DAPL (UNCLASSIFIED)
Date: Thursday, March 12, 2015 3:31:12 PM
Attachments: [Wetland-Waters Action Areas for ESA.PDF](#)
[Pipeline Crossing Permit Area Example.pdf](#)

Classification: UNCLASSIFIED
Caveats: NONE

For whenever we have our call, attached is an example of Corps ESA action area info for the pipeline for discussion purposes. The distances are different between forested wetland and emergent wetland, because they neck it down a little bit for forested crossings.

Ward

-----Original Message-----

From: Acuff, Tonya L MVD
Sent: Thursday, March 12, 2015 3:22 PM
To: Lenz, Gary W (Ward) MVR; Mcclendon, Danny D MVS; Mulligan, Karen HQ; Morningstar, Desiree L HQ02
Cc: Mcmullen, Keith A MVS; Henke, Amy C MVS
Subject: RE: Call to discuss ESA issues on DAPL (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

I am good with Monday am.

Danny- I am jealous!!!

Tonya Acuff
MVD Regulatory and EC Program Manager
601-634-5821

-----Original Message-----

From: Lenz, Gary W (Ward) MVR
Sent: Thursday, March 12, 2015 3:21 PM
To: Mcclendon, Danny D MVS; Acuff, Tonya L MVD; Mulligan, Karen HQ; Morningstar, Desiree L HQ02
Cc: Mcmullen, Keith A MVS; Henke, Amy C MVS
Subject: RE: Call to discuss ESA issues on DAPL (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

How about Monday morning everyone? 9:30 EST? or what other time do you have available?"

Ward

-----Original Message-----

From: McClendon, Danny D MVS
Sent: Thursday, March 12, 2015 3:18 PM
To: Acuff, Tonya L MVD; Lenz, Gary W (Ward) MVR; Mulligan, Karen HQ; Morningstar, Desiree L HQ02
Cc: McMullen, Keith A MVS; Henke, Amy C MVS
Subject: RE: Call to discuss ESA issues on DAPL (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

I will be casting to large brown trout tomorrow! Sorry.

Danny

-----Original Message-----

From: Acuff, Tonya L MVD
Sent: Thursday, March 12, 2015 3:14 PM
To: Lenz, Gary W (Ward) MVR; Mulligan, Karen HQ; McClendon, Danny D MVS; Morningstar, Desiree L HQ02
Cc: McMullen, Keith A MVS; Henke, Amy C MVS
Subject: RE: Call to discuss ESA issues on DAPL (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

I think my only time will be the 7 CST/8 EDT...otherwise tomorrow is the "energy savings performance contract day"...yep, gonna be FUN!!

If you have to have the call without me, no worries. And I will not hold it against you. :)

Tonya Acuff
MVD Regulatory and EC Program Manager
601-634-5821

-----Original Message-----

From: Lenz, Gary W (Ward) MVR
Sent: Thursday, March 12, 2015 3:12 PM
To: Mulligan, Karen HQ; McClendon, Danny D MVS; Acuff, Tonya L MVD; Morningstar, Desiree L HQ02
Cc: McMullen, Keith A MVS; Henke, Amy C MVS
Subject: RE: Call to discuss ESA issues on DAPL (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Any of those times would work for me.

Ward

-----Original Message-----

From: Mulligan, Karen HQ
Sent: Thursday, March 12, 2015 3:07 PM
To: McClendon, Danny D MVS; Acuff, Tonya L MVD; Morningstar, Desiree L HQ02
Cc: Lenz, Gary W (Ward) MVR; McMullen, Keith A MVS; Henke, Amy C MVS
Subject: RE: Call to discuss ESA issues on DAPL (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

Sorry Danny...today just evaporated...can we have this tomorrow (not sure if you get in early or not) some proposed times are 8 am EDT, 11 am EDT, or 12 noon...would any of those times work?

Karen

-----Original Message-----

From: McClendon, Danny D MVS
Sent: Wednesday, March 11, 2015 4:47 PM
To: Acuff, Tonya L MVD; Mulligan, Karen HQ; Morningstar, Desiree L HQ02
Cc: Lenz, Gary W (Ward) MVR; McMullen, Keith A MVS; Henke, Amy C MVS
Subject: Call to discuss ESA issues on DAPL (UNCLASSIFIED)
Importance: High

Classification: UNCLASSIFIED
Caveats: NONE

Tonya, Karen, Desiree,

We (MVR and MVS) would like to call tomorrow, 12 March, if possible to discuss the ESA issues that are cropping up for the DAPL pipeline. USFWS is going down the same path that they did on Enbridge, and the DAPL folks are falling in line with that as well. NWO sent a letter to FWS in February reiterating that our permit area for ESA is limited to essentially the ROW at crossings that require PCN due to potential habitat for Indiana Bat. FWS is now saying that if there are maternity trees in the PCN area that we are responsible for a 2.5 mile radius survey. FWS says that if we can't agree to this they will not sign off on the BO after submittal of the BA. We want DAPL to prepare the BA with the limited permit area, but they are listening to FWS and may be going to a much larger area. Sound familiar? In addition, former Gen. Crear has been calling Martha to encourage the Corps to allow DAPL to expand the permit area to streamline coordination with FWS. We want to cut this off now before it gets out of hand but want to get your input on this before we respond to FWS. FWS is wanting a face to face meeting with us to discuss the issue. Let us know when and if we could do a quick call tomorrow.

Thanks.

Danny

Danny D. McClendon
Chief, Regulatory Branch
U.S. Army Corps of Engineers
St. Louis District
1222 Spruce Street, St. Louis, Missouri 63103
(314) 331-8574
(314) 331-8741 (Fax)
danny.d.mcclendon@usace.army.mil

In order to assist us in improving our service to you, please complete the survey found at:
http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey

Classification: UNCLASSIFIED
Caveats: NONE

Classification: UNCLASSIFIED
Caveats: NONE

Classification: UNCLASSIFIED
Caveats: NONE

Classification: UNCLASSIFIED
Caveats: NONE

Classification: UNCLASSIFIED
Caveats: NONE

Classification: UNCLASSIFIED
Caveats: NONE

Classification: UNCLASSIFIED
Caveats: NONE

Classification: UNCLASSIFIED
Caveats: NONE